

Assembly Constitutional Amendment

No. 2

Introduced by Assembly Member Maldonado

December 2, 2002

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article IV thereof, relating to the state budget.

LEGISLATIVE COUNSEL'S DIGEST

ACA 2, as introduced, Maldonado. State budget.

The California Constitution requires that the Legislature pass a Budget Bill by midnight on June 15 for the ensuing fiscal year.

This measure would amend the California Constitution to require that, if a Budget Bill is not passed by midnight on June 15, Members of the Legislature forfeit any salary or reimbursement for travel and living expenses for the period from June 16 to the date a Budget Bill is passed.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

- 1 *Resolved by the Assembly, the Senate concurring,* That the
- 2 Legislature of the State of California at its 2003–04 Regular
- 3 Session commencing on the second day of December 2002,
- 4 two-thirds of the membership of each house concurring, hereby
- 5 proposes to the people of the State of California that the
- 6 Constitution of the State be amended by amending Section 12 of
- 7 Article IV thereof, to read:
- 8 SEC. 12. (a) Within the first 10 days of each calendar year,
- 9 the Governor shall submit to the Legislature, with an explanatory

1 message, a budget for the ensuing fiscal year containing itemized
2 statements for recommended state expenditures and estimated
3 state revenues. If recommended expenditures exceed estimated
4 revenues, the Governor shall recommend the sources from which
5 the additional revenues should be provided.

6 (b) The Governor and the Governor-elect may require a state
7 agency, officer, or employee to furnish whatever information is
8 deemed necessary to prepare the budget.

9 (c) The budget shall be accompanied by a budget bill itemizing
10 recommended expenditures. The bill shall be introduced
11 immediately in each house by the persons chairing the committees
12 that consider ~~appropriations~~ *the budget*. The Legislature shall pass
13 the budget bill by midnight on June 15 of each year. Until the
14 budget bill has been enacted, the Legislature ~~shall~~ *may* not send to
15 the Governor for consideration any bill appropriating funds for
16 expenditure during the fiscal year for which the budget bill is to be
17 enacted, *including any bill appropriating funds for salaries, travel*
18 *expenses, or living expenses of Members of the Legislature*, except
19 emergency bills recommended by the Governor or appropriations
20 for ~~the salaries and other~~ expenses of the Legislature.

21 (d) No bill except the budget bill may contain more than one
22 item of appropriation, and that for one certain, expressed purpose.
23 Appropriations from the General Fund of the State, except
24 appropriations for the public schools, are void unless passed in
25 each house by rollcall vote entered in the journal, ~~two-thirds~~
26 *two-thirds* of the membership concurring.

27 (e) The Legislature may control the submission, approval, and
28 enforcement of budgets and the filing of claims for all state
29 agencies.

30 (f) *Notwithstanding Sections 4 and 8 of Article III and Section*
31 *4 of this article, in any year in which the budget bill is not passed*
32 *by midnight on June 15, each Member of the Legislature shall*
33 *forfeit his or her salary and any reimbursement for travel or living*
34 *expenses for the period from June 16 until the date the budget bill*
35 *is passed. Forfeited salary or travel or living expenses may not be*
36 *paid retroactively. For purposes of subdivision (c) and this*
37 *subdivision, a budget bill is a bill that makes appropriations for the*
38 *support of the government of the State for the entire fiscal year.*

